

**REMARKS**

Claims 1-4 are pending in the application. Claims 1-3 are allowed. Claim 4 is rejected.

**Objection to the Title**

The Examiner has required a new, more descriptive title be supplied. Accordingly, the title has been amended to read:

"A DISK RECORDING AND PLAYBACK DEVICE IN WHICH THE DISK IS HELD VERTICALLY IN THE DEVICE".

Entry of this new title is respectfully requested.

**Claim Rejections Under 35 U.S.C. §112**

Claim 4 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, the Office Action asserts that the limitation "a lower end of the holder" in line 13 of claim 4 lacks proper antecedent basis. Claim 4 has been amended to indicate that "inside the panel a holder is provided".

Therefore, withdrawal of the rejection of Claim 4 under 35 U.S.C. §112, second paragraph, is respectfully requested.

**Allowable Subject Matter**

We wish to thank the Examiner for allowing claims 1-3.

Further, the Examiner indicated that claim 4 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. §112, second paragraph, set forth in the Office Action. The applicant believes that the claim amendment to claim 4 overcomes this rejection. Therefore, claim 4 is now in condition for allowance.

**Conclusion**

In view of the aforementioned amendments and accompanying remarks, claims 1-4, as amended, are believed to be patentable and in condition for allowance, which action, at an early date, is respectfully requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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